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E-Filed: May 26, 2015

10 Attorneys for Plaintiffs
11 AMADO PICHARDO

12 UNITED STATES DISTRICT COURT
13
14 NORTHERN DISTRICT OF CALIFORNIA
15
16 SAN JOSE DIVISION

17 AMADO PICHARDO,
18
19 Plaintiffs,

Case No. 5:15-CV-00515 HRL

20 v.

21 ALBA RESTAURANT SERVICES, INC.
22 and ALDO MARESCA,
23 Defendants.

**NOTICE OF DISMISSAL WITH
PREJUDICE; REQUEST THAT MATTER
BE DISMISSED AND THAT CLERK
CLOSE FILE; ~~PROPOSED~~ ORDER**

Complaint Filed: February 03, 2015

24 TO THE COURT AND ALL PARTIES TO THIS ACTION:

25 NOTICE IS HEREBY given that Plaintiff AMADO PICHARDO hereby requests that
26 Defendants ALBA RESTAURANT SERVICES, INC. and ALDO MARESCA be Dismissed with
27 prejudice. This notice is accompanied by the declaration of counsel and proposed order.
28

1 Dated: May 11, 2015

2
3 //s//Tomas E. Margain//s//
4 Tomas E. Margain
5 Huy Tran
6 JUSTICE AT WORK LAW GROUP
7 Attorneys for Plaintiff
8 AMADO PICHARDO

9
10 **DECLARATION OF TOMAS E. MARGAIN**

11 I, Tomas E. Margain, declare as follows:

12 1. I am the attorney of record for Plaintiff AMADO PICHARDO in this case. I have
13 personal knowledge of the facts set forth in this declaration, and, if called as a witness, I could and
14 would testify thereto.

15 2. After being sued, Defendants hired Roger Mason of SWEENEY, MASON, WILSON
16 & BOSOMWORTH. I was able to settle my client's dispute over the course of several negotiations
17 conferences with Mr. Mason.

18 3. The matter was settled prior to Defendants entering an appearance and as such I
19 cannot submit a stipulation and order to Dismiss with prejudice.

20 4. I have the authority of my client to have this case Dismissed with Prejudice.

21 I declare under penalty of perjury pursuant to the laws of the United States that the foregoing
22 is true and correct, executed on May 11, 2015 in San Jose, California.

23 //s// Tomas Margain
24 Tomas E. Margain


ORDER

Based on GOOD CAUSE shown and upon the Notice and Declaration of Plaintiff's counsel Tomas E. Margain, the Court orders as follows:

The matter is Dismissed with Prejudice. All calendared dates are hereby vacated and the Clerk is directed to close the file.

IT IS SO ORDERED.

DATED: May 48, 2015

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THE HONORABLE HOWARD R. LLOYD
Magistrate Judge